

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 21041P
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/506395	
INTERNATIONAL APPLICATION NO. PCT/US03/06031	INTERNATIONAL FILING DATE 28 February 2003	PRIORITY DATE CLAIMED 6 March 2002	
TITLE OF INVENTION METHOD OF TREATMENT OR PREVENTION OF OBESITY			
APPLICANT(S) FOR DO/EO/US TUNG M. FONG and LEONARDUS H.T. VAN DER PLOEG			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]. <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. 			
<p>Items 11 to 18 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> Other items or information: 			

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT September 2, 2004
 EXPRESS MAIL NO. EL989603640US
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
 BEING DEPOSITED WITH THE UNITED STATES POSTAL
 SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
 ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO

COMMISSIONER FOR PATENTS, P.O. BOX 1450,

ALEXANDRIA, VIRGINIA 22313-1450,

Computer generated form "Trans-Letter (DO/EO-HS)" (PCT Formen, Mack & Co. Inc., 1/7/2004)

FILED BY John J. Gaffey
DATE September 2, 2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER			
107506395	PCT/US03/06031	21041P			
19. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS			
BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO.....		\$1,080.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....		\$920.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO		\$770.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....		\$730.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....		\$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$100.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].					
Claims	Number Filed	Number Extra	Rate		
Total Claims	28 - 20 =	8	X \$18.00	\$144.00	
Independent Claims	4 - 3 =	1	X \$86.00	\$86.00	
Multiple dependent claim(s) (if applicable)			+ \$290.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =		\$330.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =		\$330.00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].		+			
TOTAL NATIONAL FEE =		\$330.00			
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		+			
TOTAL FEES ENCLOSED =		\$330.00			
		Amount to be refunded			
		charged			
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$330.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 000210					
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970					
 SIGNATURE					
RICHARD C. BILLUPS NAME					
31,916 REGISTRATION NUMBER					
DATE: <u>September 2, 2004</u>					
PHONE #: <u>(732) 594-4683</u>					